

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

SB 2222 - HB 2507

February 27, 2020

SUMMARY OF ORIGINAL BILL: Requires, upon approval of the design and completion of the monument or statue honoring David Crockett by the State Capitol Commission (SCC), that such monument or statue be placed upon the pedestal above the entrance to the Motlow Tunnel on Dr. Martin Luther King Jr. Boulevard. Requires that the statue of Edward Carmack be relocated to an appropriate location on capitol grounds, as determined by the SCC.

CORRECTED FISCAL IMPACT OF ORIGINAL BILL:

Increase State Expenditures – Exceeds \$41,200/FY20-21/State Capitol Commission

SUMMARY OF AMENDMENT (015124): Deletes and rewrites all language after the enacting clause such that substantive changes include: urges, rather than requires that the monument or statue honoring David Crockett be placed upon the pedestal above the entrance to the Motlow Tunnel on Dr. Martin Luther King Jr. Boulevard; urges, rather than requires the statue of Edward Carmack be relocated to an appropriate location on capitol grounds, as determined by the SCC; requires that any placement or relocation of any such monuments or statue be funded by private funds.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Increase State Expenditures - \$200/FY20-21/State Capitol Commission

Other Fiscal Impact – The additional \$41,000 one-time cost of placement and relocation of the statues must be funded by private funds.

Assumptions for the bill as amended:

- Tennessee Code Annotated § 4-1-412(b) prohibits any memorial regarding a historic conflict, historic entity, historic event, historic figure, or historic organization that is, or is located on, public property, from being removed, renamed, relocated, altered, rededicated, or otherwise disturbed or altered, unless a public entity exercising control of the memorial petitions the Tennessee Historical Commission (THC) for a waiver of such prohibition.

- Tennessee Code Annotated § 4-1-401 created the David Crockett Commission to erect a monument or statue honoring David Crockett on the grounds of the state capitol.
- It is assumed that a statue of David Crockett will be commissioned, developed, and constructed under current law in the absence of this legislation.
- The proposed legislation will require such statue to be placed on the pedestal above the entrance to the Motlow Tunnel, at the current location of the Edward Carmack's statue.
- Tennessee Code Annotated § 4-1-412(b) prohibits any memorial regarding a historic conflict, historic entity, historic event, historic figure, or historic organization that is, or is located on, public property, from being removed, renamed, relocated, altered, rededicated, or otherwise disturbed or altered, unless a public entity exercising control of the memorial petitions the Tennessee Historical Commission (THC) for a waiver of such prohibition.
- A notice of the petition is required to be published on the website of the public entity and in at least two newspapers. The THC is required to conduct initial and final hearings on the petition during regularly-scheduled THC meetings. Any petition that fails to receive a two-thirds vote shall be denied.
- Pursuant to Tenn. Code Ann. § 4-8-302, the State Capitol Commission (SCC) has the power and duty to, among other things, establish policy governing maintenance of the state capitol.
- Based on responses to the 2017 Local Government Survey conducted by the Fiscal Review Committee staff, participating local government officials reported the average cost for a newspaper notification is \$114. The total one-time cost of publishing a notice of the petition in two newspapers is estimated to be \$228 (\$114 x 2).
- According to the Department of General Services (DGS), the estimated cost to move the Edward Carmack statue to what is a currently unknown location would be approximately \$11,000.
- Assuming that the new site for the Edward Carmack statue requires granite slab, the DGS estimates that such site preparation will cost approximately \$30,000.
- The pedestal currently on such site has the name of Edward Carmack engraved upon it on a stone plaque; thus a new stone plaque would need to be purchased.
- A quote attained by the DGS estimates the cost of a new pedestal at approximately \$10,000. However, it is assumed that similar pedestal would be required under current law, regardless of where the David Crockett statue is placed.
- The cost to place the David Crockett statue on the new pedestal above the entrance to the Motlow Tunnel is estimated to equal that to relocate the Edward Carmack statue, or approximately \$11,000. However, it is assumed that similar cost of placing the David Crockett statue would be incurred under current law. Therefore, placing this statue in above the entrance to the Motlow Tunnel will not result in additional state expenditures.
- This legislation requires that any placement or relocation of the David Crockett and Edward Carmack statue be funded by private funds.
- It is assumed that the collection of private funds to relocate one statue and place one new statue in the appropriate location is precedent upon the SCC approving the design and construction of the David Crockett statute.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The script is cursive and fluid.

Krista Lee Carsner, Executive Director

/jdb